

SB 5171-S.E - DIGEST

(AS OF SENATE 2ND READING 3/04/05)

Declares that the purpose of this act is to ensure the health, safety, and general welfare of Washington's school children, teachers, and school staff. The purpose of this act is to give guidance to principals and vice-principals regarding their duty to report incidents to law enforcement officials when it is reasonable to suspect that a significant crime has occurred.

Declares an intent to ensure that agents of law enforcement, who are trained investigators, are alerted and called upon to determine whether or not there is probable cause to believe a crime has been committed in serious cases. This act is also intended to reduce potential tort liability that could arise from unreported criminal activity.

Provides that, when a principal or vice-principal of a school has reasonable cause to believe that a person has committed, on school grounds or at an event sponsored by the school, a drug offense or a crime against a person that causes severe injury, that school administrator shall report such incident, or cause a report to be made, to the proper law enforcement agency. The report may be made by telephone, in person, or on paper.

Provides that a principal or vice-principal who violates this act in flagrant disregard or clear abandonment of generally recognized professional standards or who endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting may be subject to orders by the superintendent of public instruction, up to and including reprimand, suspension, or revocation of certification.

Provides that a principal or vice-principal who willfully hinders, delays, or obstructs any law enforcement officer in the discharge of his or her official powers or duties by knowingly failing to report an offense that must be reported pursuant to this act may be guilty of obstructing a law enforcement officer under RCW 9A.76.020.

Declares that a principal or vice-principal who, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he or she knows has committed a crime or juvenile offense, knowingly fails to report an offense that must be reported pursuant to this act may be guilty of rendering criminal assistance under RCW 9A.76.070, 9A.76.080, and 9A.76.090.

Declares that a principal or vice-principal who, in good faith and without gross negligence, cooperates in an investigation arising as a result of a report made pursuant to this act shall not be subject to civil liability arising out of his or her cooperation.